

RULE I APPLICABILITY OF RULES The rules contained in this sub-chapter apply to the Yellowstone airport located at West Yellowstone, Montana.
AUTH: 67-2-102, MCA; IMP: 67-2-391, MCA

RULE II DEFINITIONS For the purposes of this sub-chapter, the following definitions apply:

- (1) "Aircraft" means any contrivance used or designed for navigation of, or flight in, air.
- (2) "Air operations areas" means those portions of the airport property used by aircraft and including the runway, taxiways, and aircraft parking ramps and aprons, and safety zones.
- (3) "Airport" means the Yellowstone airport and all improvements and appurtenances contained there-on.
- (4) "Airport employees" means employees of the division employed at the airport.
- (5) "Airport manager" is responsible for the operation, management and maintenance of the state airport and all facilities and equipment in connection therewith and for the enforcement of the provisions of this chapter.
- (6) "Airport roadways" means those portions of the airport property improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder.
- (7) "Aviation operator" means any person or organization engaged in a business of an aviation nature not within the scope of a fixed base operator, as defined herein, who is authorized to conduct such business by virtue of contract with the state.
- (8) "Baggage" means such articles, effects and other personal property of an airline passenger, including both checked, unchecked and unclaimed passenger property.
- (9) "Division" means the aeronautics division of the department of transportation.
- (10) "Fixed base operator" means any commercial aviation operator who has a written lease agreement with the division for the use of any building, shop, hanger or land for the purpose of providing flying related services to the flying public, airlines, governmental agencies or any other aviation entity. Such services may include fueling of aircraft, aircraft hangering, aircraft parking, aircraft sales, aircraft rental, aircraft charter flights, aircraft servicing other than fueling, flight instruction, and any other service associated with the needs of aircraft flying into the Yellowstone airport.
- (11) "Law enforcement officer (LEO)" means every West Yellowstone police officer or Yellowstone Airport police officer or a state or county officer charged with the enforcement of state laws or municipal ordinances to direct or regulate traffic and to enforce Yellowstone airport rules and regulations.
- (12) "Motor vehicle" means every vehicle that is self-propelled over land.
- (13) "Person" means any individual, firm, co-partnership, corporation, company, or association: and includes any trustee, receiver, or similar representative thereof.
- (14) "Public area" means those areas including the various concessions, rest rooms, terminal lobby sections, ticketing sections, and concourses used for public thoroughfares, gathering waiting and viewing: street and roads, sidewalks and all other areas normally used by the general public. All other areas are considered operational areas and access is subject to the requirements of the Yellowstone Airport Security Manual approved by the Federal Aviation Administration.
- (15) "Refueling trucks" means any motor vehicle used for the transporting, handling or dispensing of aviation fuel, oils and lubricants.
- (16) "Vehicle" means every device in repose, or by which any person or property is or may be transported or drawn upon a highway, including bicycles and motorized golf carts

Auth: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE III STATE LIABILITY

(1) Any permission granted by the airport manager and division to use the airport and its facilities, or to fly to, or from, including leases and licenses, shall be at all times conditioned upon the assumption of full responsibility therefore by every person exercising or taking advantage of such permission. It shall be a further condition thereof that each person, as a consideration of the use of the airport and for its facilities, shall at all times release, hold harmless and indemnify the state of Montana, aeronautics division, and its agents and employees from any and all responsibility, liability, loss for damage, resulting to any such person, or caused by or on his behalf, and incident to the manner in which the airport is operated, constructed or maintained, or served from within or without, or used from without. The use of the airport

by any person for any purpose, or the paying of fees therefor, or the taking off or landing aircraft thereon, shall be itself an acknowledgment that such person accepts such privileges on the condition herein set forth.
AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE IV ACCIDENT REPORTS

(1) All persons involved in any personal, aircraft, or automotive accident, occurring on the premises of a state airport, resulting in injury to or death of any person or property damage to an apparent extent of \$100 or more shall immediately, by the quickest means of communication, give notice of such accident to and make a report to the airport manager or airport security chief as soon as possible, giving all pertinent information as requested by the LEO with jurisdiction.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE V BUILDING AND CONSTRUCTION REQUIREMENTS

- (1) Any person desiring to erect a building on the airport must submit plans and specifications for the same to the office of the Aeronautics Division. The plans must include a general layout, drawn to scale, showing the lot selected at the general aviation hangar area and the orientation of the building to the lot. The general aviation hangar area is shown on the West Yellowstone Airport layout plan available for inspection. If the plan is approved by the Aeronautics Division, a lease will be negotiated under terms deemed appropriate by the division. Lessees will be responsible for all foundation work, including fill and cut dirt work utilities in addition to erection and maintenance of building.
- (2) All buildings erected upon the airport must conform to local and state building code requirements and requirements of the division.
- (3) Hangars are to be constructed at the front of the lease property line. The width and depth of hangar are at the discretion of the lessee.
- (4) New installations on airport property of underground storage tanks containing petroleum substances regulated by Title 16, Chapter 45 of the Administrative Rules of Montana, must be licensed and comply with all rules and regulations concerning their use. Additionally, any new underground storage tanks must receive approval of design plans from the state fire marshal's bureau, State DEQ and EPA.
- (5) Employees of the division shall be granted reasonable access to all buildings for inspections.
- (6) No structural alteration can be made to any building without the prior written approval of the division.
- (7) All refueling installations must be located in areas so designated by the division and fuel storage installations must be located only in a designated common tank farm.
- (8) No commercial overnight facilities, such as motels, hotels, or exclusive residences will be allowed on the airport property.
- (9) The FBO may provide transient pilots free rest/overnight accommodations with the written approval of the division. Such accommodations must meet all state and local codes and standards.
- (10) Private hangars may have overnight accommodations for private non-controversial use only, with the written approval of the division. Such accommodations must meet all state and local codes and standards.
- (11) Privately owned aircraft hangars built for commercial or private use must be for the primary purpose of housing aircraft. Aircraft hangars may not be built for other purposes.

SEE EXHIBIT 1

RULE VI UTILITIES

- (1) All utilities, including electrical, water, sewer, telephone, cable, and TV, etc., must be installed underground at the expense of the builder. Proposed location of these lines must have prior approval by the aeronautics division.
- (2) All wiring and plumbing installed in or on the building must be done in compliance with the applicable federal, state and local codes and standards.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE VII OPERATION ON AIR OPERATIONS AREAS

- (1) No person shall operate a motor vehicle in the air operations area (AOA) without having first obtained permission for the operation of such equipment from the airport manager or his designated representative.
 - (a) Permission will be granted to qualified persons following instructions by airport manager regarding limits of vehicle travel within the AOA and briefed as to rules of operation specified below (paragraph 2 through 9).
- (2) Where no special hazard exists that requires lower speed, the speed of a vehicle shall not exceed:
 - (a) 35 miles per hour on the paved portion of the airport roadway except;
 - (b) 15 miles per hour on that portion of the airport roadway immediately east of the airport terminal and airport crash-fire-rescue building;
 - (c) 10 miles per hour on the aircraft parking ramp.
- (3) When parking adjacent to a runway, all vehicles must park parallel to the runway and at least 100 feet to the outside of the runway lights.
- (4) During daylight hours, all authorized vehicles transversing on the taxiways or runways, unless otherwise directed by the airport manager, must be escorted by a vehicle having two-way radio communication and amber, rotating light affixed to the vehicle. The escort vehicle must be in continuous communication with either the airport manager, the fixed base operator, or must monitor the UNICOM frequency of 123.0 MHz.
- (5) During the hours of darkness, no vehicle shall cross a lighted runway unless equipped with amber, rotating beacon and monitoring the UNICOM frequency of 123 MHz.
- (6) All vehicles shall pass to the rear of taxing aircraft and shall pass no nearer than twenty- (20) feet horizontal distance from any wing or tail section of a parked aircraft.
- (7) Emergency conditions existing at any time on the airport will not mitigate or cancel these regulations. During such conditions, the driver of any vehicle, civilian or military, will make certain that he does not move his vehicle in any direction unless specifically cleared by the airport manager. Permission previously granted is invalid until the emergency situation has been alleviated. The airport manager shall determine when normal operations may be resumed.
- (8) No person shall operate any vehicle on the shoulder berm or in the barrow ditch of any airport roadway.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE VIII MOTOR VEHICLE PARKING

- (1) No person shall park a motor vehicle for loading, unloading for any other purpose on the airport other than in the areas specifically established for parking and in the manner prescribed by signs, lines or other means. No person shall park a motor vehicle in a manner so as to obstruct roadways, or in aircraft parking areas. No person shall abandon any motor vehicle on the airport.
- (2) No person shall park a motor vehicle on grassed areas without permission of the airport manager.
- (3) No person shall park a vehicle in any space marked for parking in such a manner as to occupy part of another parked space, nor shall any person park any vehicle in any reserved or restricted areas so marked.
- (4) Person or persons found in violation of these regulations pertaining to parking may be cited for traffic violations under the applicable provisions of the law.
- (5) Parking in designated public parking areas is open to all members of the public using the airport except employees or tenants in the terminal building area. An employee parking lot is provided for exclusive use of employees.
- (6) All employees or organizations and agencies having tenancy in the airport building areas shall park private vehicles in the employees' parking lots designated by the airport manager.
- (7) All service vehicles, including, but not limited to, utility company trucks, government-owned vehicles, and delivery trucks shall park in specially reserved and marked areas as may be designated by the airport manager.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE IX TAXICABS, LIMOUSINES, AND BUSES

- (1) All persons operating taxicabs, limousines or buses on the airport for the purpose of transporting persons or passengers for hire shall be parked in such manner and in such areas as may be designated from time to time by the airport manager.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE X OPERATION OF AIRCRAFT

- (1) All aircraft in flight within class E airspace (FAA airspace designation above Yellowstone Airport) or in motion or parked on the runways, taxiways, aprons, or ramps of any airport must obey the current federal aviation regulations concerning flight. All aircraft shall follow the appropriate taxiway and runway guidance lines when operating on the airport.
- (2) The airport manager may prohibit landing and taking off at any time and under any circumstances when the airport manager deems such landings and takeoffs likely to endanger person or property, except for emergency landings.
- (3) No aircraft shall be operated on the surface of any public landing area, aircraft ramp or apron area, cargo ramp or public aircraft parking and storage area in a careless or negligent manner or in disregard of the rights and safety of others. All such aircraft shall be operated with due caution and in compliance with Federal Air Regulations.
- (4) In the event the airport manager believes the conditions of the airport to be unsafe for landings or takeoffs, it shall be within his authority to issue a Notice to Airmen (NOTAM) to close the airport. NOTAM'S are disseminated by the Federal Aviation Administration (FAA).
- (5) No person or firm shall repair an aircraft, aircraft engine, propeller or other aeronautical equipment or apparatus, nor employ a certificated aircraft mechanic in any area of the airport other than that specifically designated for such purposes by the airport manager, except that minor adjustments may be made while the aircraft is on a loading ramp preparatory to departure.
- (6) No experimental flight or ground demonstrations shall be conducted on the airport without the express approval of the airport manager.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE XI PARKING OF AIRCRAFT

- (1) No person shall park an aircraft or leave the same standing. No person shall park an aircraft or leave an aircraft standing on a public aircraft parking and storage area, public passenger apron area, public cargo apron area; except as may be prescribed or permitted by the airport manager. When in such an area, every aircraft shall be adequately tied down or the landing gear of every such aircraft shall be chocked with wheel chocks or other approved devices, or both, except in cases where, in the opinion of the airport manager, proven procedures such as those followed by the scheduled airlines are equally safe.
- (2) The airport manager reserves the right to designate specific parking areas for use by any or all aircraft at any time.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE XII SECURITY OF AIRCRAFT

- (1) When the kind, type, mission and condition of an aircraft make it necessary, in the opinion of the owner, to provide security guards or policemen wherever the aircraft is located on the airport, the owner of the aircraft shall be responsible for obtaining, providing and maintaining its own security guards or policemen after permission to establish such security has been obtained from the airport manager or its duly authorized representative. Security requirements shall not be used as a means to hinder or delay removal of aircraft at the direction of the airport manager.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE XIII DAMAGE TO AIRPORT

- (1) The owner or operator of any aircraft or vehicle which by reason of any type of accident, crash, or fire, or which by reason of malfunction or operation causes any damage to airport property shall be responsible to the State of Montana for such damage. The division shall ascertain the amount of such damage and shall make demand upon the said owner or operator for payment.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE XIV LIQUID DISPOSAL

- (1) No fuels, oils dopes, paints, solvents or acids shall be disposed of or dumped in drains, on the ramp areas, catch basins or ditches or elsewhere on the airport.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULES XV PUBLIC AND TENANT USAGE

- (1) No person shall be or become intoxicated, commit any disorderly act, or commit any act of nuisance.
- (2) No person shall destroy, injure, or deface any building, sign, equipment, marker or other structure, trees, flowers, lawn or other property on the airport; nor willfully abandon any personal property on the airport.
- (3) No person, except peace officers, duly authorized, FAA employees, post office employees, airport and air carrier employees or members of the armed forces of the United States on official duty, shall carry any weapons, explosives or inflammable material on the airport except cased sporting guns carried for transshipment
- (4) No person shall enter upon the air operations area #2 identified as the concrete apron used for air carrier operations; utilities and service rooms or areas, or other areas as may be designated

RESTRICTED except:

- (a) Persons assigned to duty therein;
- (b) Authorized representatives of the division and the FAA;
- (c) Pilots and their passengers under appropriate supervision, entering the apron for the purpose of enplaning and deplaning;
- (d) Business representatives in the conduct of their affairs with the airlines or other tenants.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE XVI LOITERING AND REFUSAL TO COMPLY

- (1) No person shall loiter on any part of the airport or in any building on the airport; nor shall any person come upon or use the airport, except while traveling through or enplaning or deplaning as a passenger or an aircraft operating on the airport, after such person has been denied the use of the airport by the airport manager. Any person or persons who shall refuse to comply with these applicable rules and regulations, after proper request to do so by the airport manager or other authorized representative, shall be requested to leave the airport and in the event of his or their failure to comply with a proper request to abide by the rules and regulations of the airport, shall be regarded as a trespasser.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE XVII DEMONSTRATIONS

- (1) No personnel shall conduct or participate in parading, marking, patrolling, demonstrating, sit-downs, assembling, distributing of pamphlets or other materials, carrying or displaying of signs or placards in or upon, or in a manner which obstructs entry or exit from buildings, grounds, roads, walks, approaches or any of the property of the airport, without the written permission of the airport manager.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE XVIII DISABLED, DERELICT AIRCRAFT

- (1) Upon demand made by the airport manager to the owner or operator of any abandoned, disabled or derelict aircraft or parts thereof, wrongfully or improperly left upon airport property, it shall be the duty of said owner or operator to remove the same at his/her own expense. If after said demand said owner or operator fails or refuses to remove such aircraft or parts thereof within a reasonable time as determined by the airport manager from the circumstances and condition of hazard created by reason of the presence of such aircraft at such place, the airport manager shall cause the same to be impounded and stored. The cost of such removal and storage shall be a charge against the owner or operator of such aircraft, and upon the payment of said charge, the impoundment herein provided shall be released and possession of said aircraft shall be restored to owner or operator.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE XIX FLOWAGE FEES

- (1) Flowage fees shall be determined by the division. All vendors and personal fuelers shall pay the established flowage fee per gallon of aviation fuel to the division. This fee is in addition to any motor fuels tax, which may be levied.
- (2) The fee for flowage includes all grades of aviation gasoline (avgas) and jet fuels and all automobile fuel used in aircraft. Amount of flowage fees due the Division will be determined by a duplicate wholesale vendor invoice upon delivery by vendors, or by vendors or personal fuelers submitting a statement to the division of the amount of fuel pumped.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301-302, MCA

RULE XX FUELING OPERATIONS

- (1) All aviation fuels on Yellowstone airport property may only be dispensed by vendors holding a lease with the division, or by persons fueling their personally owned aircraft and meeting the requirements stated herein. Each vendor must have a Yellowstone Airport lease and proper permits relating to vehicle inspection and registration.
- (2) Aircraft fuel servicing and storage must comply with FAA Advisory Circular 150/5230-4, National Fire Protection Association Publication #407, the Yellowstone Airport Standards for Safe Fuel Service/Storage and this section.
- (3) No person shall smoke or permit an open flame within 100 feet of any aircraft undergoing fuel service, or at least 100 feet from fuel storage trucks or building.
- (4) All persons fueling or defueling aircraft must be trained in the safe operation of the equipment they use, in the operation of emergency controls and in the procedures to be followed in an emergency.
- (5) No aircraft shall be refueled, defueled or oil serviced while aircraft engines are running, or while such aircraft is being warmed by application of heat or while such aircraft is in a hanger or congested or closed space.
- (6) All persons fueling or defueling aircraft must be trained in the safe operation of the equipment they use, in the operation of emergency controls and in the procedures to be followed in an emergency.
- (7) Prior to the fuel servicing of any aircraft, the aircraft and the fuel dispensing equipment shall be grounded to a point of zero electrical potential in the order indicated below and when complete, in the reverse order to prevent the possibility of static ignition of volatile liquids.
 - (a) Aircraft to apron or ground.
 - (b) Refueling unit to ground.
 - (c) Refueling unit to aircraft.
 - (d) Refueling nozzle to aircraft.

The foregoing procedure necessarily modified will apply to storage dumping, and the filling of dispensing equipment.

- (8) When malfunction of refueling equipment is detected, all refueling shall cease immediately and the malfunction remedied or the entire unit replaced by another. Any malfunctions or irregularity detected on or with the aircraft being serviced will be brought to the attention of the aircraft owner or operator immediately.
- (9) Crews engaged in the fueling and defueling of aircraft, the filling of dispensing equipment or storage of aviation fuels shall exercise extreme caution to prevent spills. When spills occur, servicing will cease and the spill will be removed or absorbed with suitable material. The fire chief or airport manager shall be notified of all spills exceeding two feet in diameter.
- (10) Fueling pumps, meters, hoses, nozzles, fire extinguisher and grounding devices shall be kept in first class condition at all times.
- (11) During fuel handling operation in connection with any aircraft, no less than two CO2 or approved dry chemical fire extinguishers (15 pounds or larger) shall be immediately available for use in connection therewith.
- (12) No person shall perform or allow performance of any refueling operation during an electrical storm within five miles of the airport.
- (13) No person shall operate any radio transmitter or receiver or switch electrical appliances off or on in an aircraft during fueling or defueling.
- (14) No person shall use any material or equipment during fueling or defueling of aircraft which is likely to cause a spark or ignition.

- (15) All hoses, funnels, and appurtenances used in fueling and defueling operations shall be equipped with a grounding device to prevent ignition of volatile liquids.
 - (16) No aircraft shall be fueled or defueled while passengers are on board the aircraft unless a passenger-loading ramp is in place at the cabin door of the aircraft, the aircraft door is in the open position, and a cabin attendant is present at or near the cabin door.
 - (17) No airborne radar equipment shall be operated or ground tested on any area wherein the directional beam of high intensity radar is within 300 feet or, low intensity radar (less than 50 KW output) is within 100 feet of another aircraft, an aircraft refueling truck or aircraft fuel or flammable liquid storage facility.
 - (18) During refueling or defueling, fuel handling vehicles shall be so placed so as to be readily removable in event of fire so as to permit direct driving away from the loading or fueling position.
 - (19) Each fuel handling vehicle shall be conspicuously marked in letters of contrasting color, with the word "flammable" on both sides and rear of the cargo tank in letters at least six inches high, and with the wording "emergency shut off" and other appropriate operating devices in letters at least two inches high. Each fuel-handling vehicle will also be conspicuously marked on both sides and rear with the type and grade of fuel it contains.
 - (20) Fueling personnel shall not wear on their person garments of nylon with wool, silk, polyesters or other static gathering fabrics. Shoes shall not contain taps; hobnails or other material, which could generate sparks. Fuelling personnel shall not carry on their persons any ignition devices, including safety matches, strike any ignition devices, including safety cigarette lighters or other items, which could become ignition sources if operated, bumped, hit or dropped.
- AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE XXI NON-VENDOR REFUELING

- (1) Fueling by person other than vendors authorized by the division to do so is prohibited unless;
 - (a) fuel is dispensed only into aircraft owned by fueller,
 - (b) fuel is dispensed in a location approved by the airport manger or fire chief, and
 - (c) fueling equipment meets specifications established by the Montana State Fire Marshal.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301 302, MCA

RULE XXII EXPLOSIVES OR OTHER DANGEROUS ARTICLES

- (1) No persons shall store, keep, handle, use, dispense or transport at, or upon the airport any class A or class B explosives (as defined in the Interstate Commerce Commission Regulations for transportation of explosives, and other dangerous articles), flammable or combustible liquids, class A poisons (as defined in the Interstate Commerce Commission Regulations or transportation of explosives and other dangerous articles) or any radioactive article, substance or material, at such time or place or in such manner or condition as to endanger unreasonably or as to be likely to be unreasonably dangerous to persons or property.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE XXIII ANIMALS

- (1) No person shall enter the terminal building of the airport with a dog or other animal except that seeing-eye dogs may be permitted for appropriate purposes, and, where dogs are to be transported by air, are restrained by leash or properly confined.
- (2) No pets or other animals shall be brought onto airport property unless leashed or properly confined.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE XXIV OPEN FLAME OPERATIONS

- (1) No person shall conduct any open-flame operations in any hanger or on the airport unless specifically authorized by the airport manager. Exceptions to this rule are at the designated camping area located at the north end of the general aviation apron, where open flame or campfires in designated fire pits only are permitted.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE XXV SMOKING

- (1) No person shall smoke on the airport apron, in any hanger or shop, gasoline storage area, or in any building, room or place on the airport where smoking is specifically prohibited, or within 100 feet of any fueling or defueling operation.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE XVI ADDITIONAL DUTIES OF TENANTS

- (1) No tenant or lessee on the airport shall store or stack material or equipment in such a manner as to constitute a hazard to personnel or property.
- (2) All tenants shall be required to maintain their leased property in a condition of repair, cleanliness and general maintenance in a manner agreeable to the airport manager and in accordance with their individual lease agreements and free from all fire hazards.
- (3) No tenants, lessees or grantees will be permitted to effect structural or decorative changes or additions of any type without prior permission of the airport manager with the approval and supervision of the division.
- (4) Tenants, lessees and grantees shall be fully responsible for all damages to buildings, equipment, real property and appurtenances in the ownership or custody of Yellowstone Airport caused by their negligence, abuse or carelessness on the part of their employees or agents.
- (5) Electrical wiring of every kind shall be introduced and connected only under the direction of the division and no boring nor cutting for wires shall be allowed except with the consent of the airport manager. The location of telephones, call boxes, and similar facilities, shall be made only with the consent of the division.
- (6) Neither the state, nor its employees or agents will be responsible for any loss of, or damage to, any tenant's property from any cause, but all damage done to the building by moving or maintaining any such property shall be repaired at the expense of the tenant.
- (7) No additional locks shall be placed by tenants on any door in a building unless written consent is given by the airport manager. The airport manager must be provided a key. Keys for the rooms, buildings and gates will be numbered and will be issued by the airport manager. Each person requiring keys for rooms, buildings, or gates on the Yellowstone airport will be required to sign a receipt for each key and a \$5.00 deposit will be required for each key requested. This deposit will be held by the airport manager and will be refunded when the key is surrendered. All keys must be surrendered to the airport manager each year when the airport is closed. No key may be duplicated without written permission of the airport manager.
- (8) Tenants, their employees or patrons, shall not make or permit any improper noises in the building, nor interfere in any way with the other tenants or those having business with them.
- (9) At any time while the building is in charge of a watchman, any person entering or leaving the building may be questioned by him/her as to his/her business in the building, and anyone not satisfying the watchman of his/her right to enter the building may be excluded.
- (10) All tenants will be subject to the reasonable requirements, requests, and directions of the airport manager.

AUTH: 67-2-102, MCA; IMP: 67-2-102, 301, 302, MCA

RULE XXVII SCHEDULE OF CHARGES

- (1) This section is not intended to abrogate the existing contracts of the division with tenants or lessees at the Yellowstone airport.
- (2) All aircraft operating on a commercial basis on the airport, other than lessees, shall be charged a minimum fee for the use of the airport facilities. Such fees will be established, altered or amended, by the division from time to time. If, in the opinion of the airport manager, such aircraft are causing more than normal wear and depreciation on the airport facilities, the fee may be raised in an amount sufficient to cover maintenance and repair to such items.
- (3) All ground leases for personally owned aircraft hangars, and other private use facilities shall be for a period not to exceed 10 years and at a rate to be established from time to time by the division. All such leases shall be eligible for renewal negotiations. If a lease is not renewed upon termination or expiration date of such lease, the property shall be removed by the owner and at the owner's expense within a reasonable length of time as cited in the lease agreement. If such property is not removed within the prescribed time the property ownership shall revert to the division.

- (4) A schedule of rates and charges for all certificated air carriers shall be set by the division and reviewed periodically. These fees shall include the following:
 - (a) Landing fees, floor rental charges, fuel flowage fees and any other charges that are pertinent to the operation of the airport and the additional manpower and equipment/facilities that may be required under Part 107. These charges shall apply to all certificated scheduled and nonscheduled air carriers desiring to use the airport without discrimination. Landing fees shall be based on a weight/frequency aircraft category basis.
- (5) Fees for landing shall be set at the discretion of the division. The airport manager and the division shall, in its possession, have for review the current schedule of landing fee charges.
- (6) Rates for the rental of public aircraft parking spaces shall be set by the division and reviewed periodically at their discretion.

AUTH: MCA; 67-2-102, IMP: 67-2-102, 301, 302, MCA

RULE XXVIII COMMERCIAL ACTIVITIES

- (1) No aircraft owner or aviation organization, person or business enterprise shall engage in any commercial activities of any type at the airport unless prior permission and an operating lease is obtained from the division.
- (2) No person or firm shall engage in flight instruction at the airport unless he/she holds the proper certificate, lease agreement issued by the government of the United States and meets all requirements of FAR Part 61.

AUTH: MCA; 67-2-102, IMP: 67-2-102, 301, 302, MCA